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TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

COSIMANO, EDWARD R

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 07/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/902,480

Applicant(s)

MARTIN ET AL.

Examiner

Edward R. Cosimano

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/9/01 & 10/2/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date see attached.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. Applicant should note the changes to patent practice and procedure:
 - A) effective December 01, 1997 as published in the Federal Register, Vol 62, No. 197, Friday October 10, 1997;
 - B) effective November 07, 2000 as published in the Federal Register, Vol 65, No. 54603, September 08, 2000; and
 - C) Amendment in revised format, Vol. 1267 of the Official Gazette published February 25, 2003.
 2. Applicant's claim for the benefit of an earlier filing data under 35 U.S.C. § 119(e) and 35 U.S.C. § 120 is acknowledged.
 3. Applicant's submission of a computer program listing on a CD is acknowledged.
 4. The use of various trademark(s), for example: "Internet Explorer", "Microsoft", "Netscape Navigator", have been noted in the paragraph located:
 - A) between page 9, line 21, and page 10, line 2, "As stated above, ... Internet Explorer browser program provided by Microsoft Corporation, the Netscape Navigator browser provided by Netscape Corporation, and ... then be viewed by the user using the browser."; and
- Any trademarks should be capitalized wherever they appear and be accompanied by the generic terminology.
- 4.1 Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.
5. The drawings are objected to because:
 - A) the following errors have been noted in the drawings:
 - (1) The drawings are objected to as failing to comply with 37 CFR § 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description, note:
 - (a) 616 & 620 of fig. 6 in the paragraph located at page 13, lines 19-28, "Fig. 6 is a flowchart of ... subsystem 312. The kiosk then verifies this kiosk ID with the PVS 102. If the verification fails then the

kiosk reports an error (step 622). If the kiosk ID is verified, the kiosk is ready to process a request for stamps (step 624). in another ... the PVS maintains a listing of the valid NIC MAC addresses.”;

(b) 1004-1, 1004-2, 1006-1 & 1006-2 of fig. 15 as this figure is described in the paragraph located at page 17, lines 16-19, “Fig. 15 is an ... (PSDM) servers 1004 (with associated cryptographic modules 1006), and ... other variations, modifications, and alternatives.”;

(c) 1126 of fig. 16 as this figure is described in the paragraph at page 20, lines 12-32, “Fig. 16 is a simplified flow chart showing ... kiosk. If the transaction type is a “Lookup” transaction 1120, then the billing information is retrieved for a previously generated transaction, and the billing type at step 1130 is determined. If ... on printer 210, for example Fig. 4.”; and

(d) 1210 of fig. 17 as this fig is described between page 27, line 34, and page 28, line 4, “Fig. 17 is a flowchart expanding ... considered to be a valid request (block 1234).”.

(2) The drawings are objected to as failing to comply with 37 CFR § 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description, note:

(a) the reference to slots 210 of fig. 2 in the paragraph located between page 11, line 29, and page 12, line 7, “Fig. 3 is a simplified block ... printers 310 located behind printer slot(s) 210, a card ... a circuit board with other systems components.”;

(b) the reference to screen 122-2 in the paragraph located at page 13, lines 12-18, “Fig. 5 shows an example ... entire touch screen 122-2. In ... window 810 in Fig. 11, and window 830 in Fig. 12.”;

(c) the reference to window 810 in the paragraphs located:

(i) at page 14, lines 12-18, “Fig. 5 shows an example ... window 810 in Fig. 11, and window 830 in Fig. 12.”;

(ii) at page 15, lines 15-22, "Fig. 11 shows display window 810 for ... window 810 ... and/or the enter key may always be visible.";

(d) the reference to servers 1004 and modules 1006 of fig. 15 as this figure is described in the paragraphs:

(i) located at page 17, lines 16-19, "Fig. 15 is an ... (PSDM) servers 1004 (with associated cryptographic modules 1006), and ... other variations, modifications, and alternatives.";

(ii) located at page 18, lines 13-24, "Each PSDM server 1004, in conjunction with one or more cryptographic modules 1006 coupled ... PSDM server 1004 ... PSDM server 1004 ... functions. PSDM servers 1004 ... PSDM server 1004 communicates with web server 1002 using a DCOM (Microsoft's Distributed Component Object Model) interface.";

(iii) located at page 18, lines 25-30, "Each PSDM server 1004 may comprise one or more cryptographic modules 1006 ... module 1006. According ... module 1006 is an nCipher nFast/CA module which is validated to FDS 140-1 Level 3 security.";

(iv) between page 18, line 31 and page 19, line 3, "According to aspects of the present invention, PSDM server 1004 ... by PSDM servers 1004 ... PSDM servers 1004 ... parallel without the bottleneck of sharing a single PSD resource.";

(v) at page 19, lines 17-26, "In a specific embodiment of ... module 1006 associated with PSDM server 1004 ... the GPSD resource and MPSD resources may be stored in database 1008.";

(vi) at page 20, lines 1-11, "Database 1008 acts as ... PSDM server 1004 via an ODBC interface."; and

(vii) at page 20, lines 12-32, "Fig. 16 is a simplified flow chart ... PSDM server 1004 ... PSDM server 1004 ... the stamps) on printer 210, for example Fig. 4."; and

(e) the reference to printer 210 of figs. 2 & 30 in the paragraph located at page 20, lines 12-32, "Fig. 16 is a simplified flow chart ... the stamps) on printer 210, for example Fig. 4.".

(3) The drawings are objected to as failing to comply with 37 CFR § 1.84(p)(4) because reference character "712" has been used to designate both:

(a) kiosk 712 in fig. 7, "paragraph located at page 13, lines 29-31, "Fig. 7 shows a display window 710 on a kiosk display for purchasing stamps in one embodiment of the present invention. The display window 710 includes an image of a kiosk 712."; and

(b) a communications link 712 in fig. 15.

(4) as can be seen in fig. 15 and from the context of the paragraph located at page 17, lines 16-19, "Fig. 15 is an expanded block ... communication links 1012. Local ... links. Communication links 1012 ... other variations, modifications, and alternatives.", in fig. 15 reference number "712" should be -1012--.

B) the drawings must show every feature of the invention specified in the claims, therefore, the subject matter of:

(1) claim 20 in regard to storing the kiosk ID in a window's registry;

(2) claim 21 in regard to using the MAC address of the NIC as the Kiosk ID; and

(3) claims 22-24 in regard to each of the individual process steps recited in these claims;

must be shown in the drawings as required by 37 CFR § 1.83(a) or the feature(s) canceled from the claim(s) (note: no new matter should be entered).

5.1 A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

5.2 Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

6. The disclosure is objected to because of the following informalities:

A) applicant must update:

(1) the continuing data on page 1, and

(2) the application data in the paragraphs located:

(a) between page 1, line 3, and page 2, line 8, "This application claims ... User Obtaining Stamps Over a Communication Network," by L. Carlton Brown, et. al., filed July 9, 2001 (Attorney Docket No. 006969-022311).";

(b) between page 8, line 26, and page 9, line 7, "Kiosks 104 allow users ... U.S. Patent Application No. 09/708,971, ... on a storage medium, such as a computer disk, for subsequent printing of the indicia.";

(c) at page 11, lines 3-11, "In one preferred embodiment, ... shown in U.S. Patent Application No. 09/708,971."; and

(d) between page 20, line 33, and page 21, line 11, "There are several types of XML messages ... U.S. Patent Application No. 09/708,883, entitled "Techniques For Dispensing Postage Using A Communication Network," which is herein incorporated by reference.";

with the current status of each of the referenced applications, e.g., --now abandoned--, or --now patent #?--, or --which is abandoned and now serial number #?--, etc.

B) as required by 37 CFR § 1.84(p(5)) and 37 CFR § 1.121(e) the specification lacks an explicit reference to the nature of:

(1) reference legends:

(a) 616 & 620 of fig. 6 in the paragraph located at page 13, lines 19-28, "Fig. 6 is a flowchart of ... subsystem 312. The kiosk then verifies this kiosk ID with the PVS 102. If the verification fails then the kiosk reports an error (step 622). If the kiosk ID is verified, the kiosk is ready to process a request for stamps (step 624). in another ... the PVS maintains a listing of the valid NIC MAC addresses.";

(b) 1004-1, 1004-2, 1006-1 & 1006-2 of fig. 15 as this figure is described in the paragraph located at page 17, lines 16-19, "Fig. 15 is an ... (PSDM) servers 1004 (with associated cryptographic modules 1006), and ... other variations, modifications, and alternatives.";

(c) 1126 of fig. 16 as this figure is described in the paragraph at page 20, lines 12-32, "Fig. 16 is a simplified flow chart showing ... kiosk. If the transaction type is a "Lookup" transaction 1120, then the billing information is retrieved for a previously generated transaction, and the billing type at step 1130 is determined. If ... on printer 210, for example Fig. 4."; and

(d) 1210 of fig. 17 as this fig is described between page 27, line 34, and page 28, line 4, "Fig. 17 is a flowchart expanding ... considered to be a valid request (block 1234)."; and

(2) how the program proceeds after:

(a) step 620 of fig. 6 if the inquiry is either "YES" or "NO" as this figure is described in the paragraph located at page 13, lines 19-28, "Fig. 6 is a flowchart of ... PVS 102. If the verification fails then the kiosk reports an error (step 622). If the kiosk ID is verified, the kiosk is ready to process a request for stamps (step 624). in another ... the PVS maintains a listing of the valid NIC MAC addresses.".

In this regard, it is noted that merely mentioning either a feature or a number with out mentioning the device or operation or number or feature relies on the drawing to

provide support for the disclosure and not to aid in the understanding of the invention, as is the purpose of the drawings (37 CFR § 1.81(a,b)).

C) the following errors have been noted in the specification:

(1) as can be seen in fig. 2 and from the context of the paragraph located between page 11, line 29, and page 12, line 7, "Fig. 3 is a simplified block ... printers 310 located behind printer slot(s) 210, a card ... a circuit board with other systems components.", at line 8 of this paragraph "210" should be --201-1 and 210-2--;

(2) as can be seen in figs. 2 & 3 and from the context of the paragraph located between page 12, line 31, and page 13, line 11, "Fig. 4 shows an ... indicia, the printer 210 prints the four stamps on the label sheet 400 and outputs the printed stamps to the user via printer slot 210-1.", at line 14 of this paragraph "printer 210" should be --printer 310--.

(3) as can be seen in fig. 5 and from the context of the paragraph located at page 13, lines 12-18, "Fig. 5 shows an example ... entire touch screen 122-2. In ... window 810 in Fig. 11, and window 830 in Fig. 12.", at line 4 of this paragraph "122-2" should be --122--.

(4) as can be seen in fig. 15 and from the context of the paragraph located at page 17, lines 16-19, "Fig. 15 is an ... (PSDM) servers 1004 (with associated cryptographic modules 1006), and ... other variations, modifications, and alternatives.", at lines 3-4 of this paragraph "(PSDM) servers 1004 (with associated cryptographic modules 1006)" should be --(PSDM) servers 1004-1 and 1004-2, herein after 1004, (with associated cryptographic modules 1006-1 and 1006-2, herein after 1006)--, note the related objection above in regard to "servers 1004" and "modules 1006".

(5) as can be seen in figs. 2 & 3 and from the context of the paragraph located at page 20, lines 12-32, "Fig. 16 is a simplified flow chart showing the ... indicia are extracted and used to print the stamps) on printer 210, for

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example Fig. 4.”; in the last line of this paragraph the phrase “printer 210, for example Fig. 4” should be –printer 310, for example Fig. 3--.

D) the subject matter of:

- (1) claim 20 in regard to storing the kiosk ID in a window's registry; and
- (2) claims 22-24 in regard to each of the individual process steps recited in these claims;

lacks antecedent basis within the specification as required by 37 CFR § 1.75(d1).

Appropriate correction is required.

7. The specification and drawings have not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification or drawings. Applicant should note the requirements of 37 CFR § 1.74, § 1.75, § 1.84(o,p(5)), § 1.121(a)-1.121(f) & § 1.121(h)-1.121(i).

8. Claims 20, 22-24 & 26 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8.1 The subject matter of:

A) claim 20 in regard to storing the kiosk ID in a window's registry; and

B) claims 22-24 in regard to each of the individual process steps recited in these claims;

lacks antecedent basis within the specification as required by 37 CFR § 1.75(d1).

8.2 Applicant's inclusion of the method/process claim 26, into machine/apparatus/device claim 18 by dependency creates an improper hybrid claim and hence the recited combination of claimed subject matter is confusing. This confusion occurs, since it can not be determined from the language of the final combined claim into which one of the statutory classes of invention the combined claim is to be classified as, that is either:

- A) a process, or
- B) a machine, or
- C) a manufacture, or

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D) a composition of matter.

Note ex parte Lyell, 17 USPQ 2d 1548 (Bd. Pat. App. & Inter. 1990) and MPEP § 2173.05(p).

8.3 In regard to claim 26, the subject matter of this claim clearly lacks antecedent basis in claim 18, which depends from claim 16, hence, it is noted that at line 1 of claim 26, "18" should be --25--.

8.4 For the above reason(s), applicant has failed to particularly point out what is regarded as the invention.

9. 35 U.S.C. § 101 reads as follows:

"Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter or any new and useful improvement thereof, may obtain a patent therefore, subject to the conditions and requirements of this title".

9.1 Claims 27-28 are rejected under 35 U.S.C. § 101 because the invention as claimed is directed to non-statutory subject matter.

9.1.1 The instant claims recite a system/device, (claims 27-28), which has a disclosed practical application in the technological arts, and which does not merely define either a computer program, a data structure, non-functional descriptive material, (i.e. mere data) or a natural phenomenon. Hence, the instant claims merely define device that contains a data structure comprising series of steps that as claimed could be but are not necessarily to be performed on a computer.

9.1.2 It is further noted that applicant has not recited a specific machine since the operations recited in the claim are merely to illustrate the operations of the instant invention since these operations are not in fact implemented by a processor/computer. Hence, applicant envisions the invention as recited in claims 27-28 as a disembodied storage device, i.e. memory, that stores a computer program as a non-functional data structure. Such a disembodied storage device is not a specific machine because:

A) it is not associated with a computer in such a way as to cause the computer to operate in a specific manner, (note In re Beauregard 35 USPQ2d 1383 (CAFC 1995) and the associated claims of U.S. Patent 5,710,578); and

B) a memory device alone can not perform the functions recited within the claims.

Therefore, the recited disembodied storage device, which itself can not perform the functions recited within the claims as the invention, is inoperative and lacks utility for the purpose of the invention.

9.1.3 In view of the above, the invention recited in claims 27-28, merely describes an abstract idea of a disembodied storage device, i.e. memory, that stores a computer program as a non-functional data structure, since a disembodied storage device by itself can not produce a concrete and tangible result by performing the functions recited within the claims as the invention (State Street Bank & Trust Co. v. Signature Financial Group Inc. 47 USPQ2d 1596 (CAFC 1998)). Hence, claims 27-28 do not have a claimed practical application, since the disembodied storage device is inoperative and therefore lacks utility for the purpose of the invention.

9.1.4 Nonfunctional descriptive material cannot render nonobvious an invention that would have otherwise been obvious. Cf. *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983) (when descriptive material is not functionally related to the substrate, the descriptive material will not distinguish the invention from the prior art in terms of patentability). Common situations involving nonfunctional descriptive material are:

- a computer that differs from the prior art solely with respect to nonfunctional descriptive material that cannot alter how the machine functions (i.e., the descriptive material does not reconfigure the computer), or
- a process that differs from the prior art only with respect to nonfunctional descriptive material that cannot alter how the process steps are to be performed to achieve the utility of the invention.

9.1.5 Hence, claims 27-28 are directed to an inoperative abstract idea that is non-statutory subject matter.

10. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(c) Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

10.1 Claims 1-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over either Whitehouse (6,005,945) or Heiden et al (6,141,645) or Brookner et al (WO 98/13790) or Shah et al (5,822,738) or Kara (5,822,739) or Gravell et al (WO 98/57303) or Lee et al (EP 0927960) or Brasington et al (5,923,406) or Sansone (5,978,781) or Shah et al (2003/0078893) or Beckstrom et al (6,594,374) or Bator et al (6,619,544) in view of applicant's admitted state of the art.

10.1.1 In regard to claims 1-9, 12-22 & 25-28, either Brookner et al ('790) or Shah et al ('738) or Kara ('739) or Gravell et al ('303) or Lee et al ('960) or Brasington et al ('406) or Sansone ('781) or Whitehouse ('945) or Heiden et al ('645) or Shah et al ('893) or Beckstrom et al ('374) or Bator et al ('544), in the environment of computerized postage metering systems discloses a secured metering device (SMD) that has been licensed by the Postal Authority to store and dispenses postage and is used by a postage vendor to dispense postage to customers of the vendor. When a customer, that is located remotely from the SMD, at the customer's general purpose PC or a kiosk desires to print postage on an item of mail using the a general purpose printer, then the user at the PC/kiosk would create a request for postage. Where the request for postage would include customizable constraints, for example, at least an identification of the customer, the originating location, the postage value, class of service or DTD, destination zip code, piece count or transaction identifier, an indication of the method of

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payment, as well as any other information required to determine the correct postage for an item of mail. Next, the generated request for postage is formed into a communication message/packet and transmitted to remotely located SMD via a suitable network interface and communications network. Once at the SMD the transmitted information is used to:

- A) validate the request and whether there are sufficient funds for the requested postage value to be printed;
- B) account for the requested postage in a single general account or an individual account for the user; and
- C) to generate a print file of a valid postage indicia that includes encode information as evidence of postage payment.

The print file is then transmitted back to the identified user at the PC via a suitable communications network where the postage is printed with suitable security features on either the item of mail or a label to be applied to the item of mail by the user using the general purpose printer. The above process is repeated for each user at a PC/kiosk that is requesting to print postage on an item of mail.

10.1.2 Neither Brookner et al ('790) nor Shah et al ('738) nor Kara ('739) nor Gravell et al ('303) nor Lee et al ('960) nor Brasington et al ('406) nor Sansone ('781) nor Whitehouse ('945) nor Heiden et al ('645) nor Shah et al ('893) nor Beckstrom et al ('374) nor Bator et al ('544) disclose the use of a mark-up language, however, either Brookner et al ('790) or Shah et al ('738) or Kara ('739) or Gravell et al ('303) or Lee et al ('960) or Brasington et al ('406) or Sansone ('781) or Whitehouse ('945) or Heiden et al ('645) or Shah et al ('893) or Beckstrom et al ('374) or Bator et al ('544) require the use of a communications network, for example the internet. Since as disclosed by applicant:

- A) XML, HTML and SGML are equivalent mark up languages, see the paragraph located between page 5, line 31, and page 6, line 9, "The present invention ... features. The markup language includes, for example, one or more of the following: the eXtensible Markup Language (XML), the Hypertext Markup Language (HTML) or the Standard Generalized Markup Language (SGML).";

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B) in the environment of the internet, it is known that web pages may be written in HTML, see the paragraph located between page 9, line 21, and page 10, line 2, "As stated above, a user may use ... web pages may be written in Hypertext Markup Language (HTMQ and may incorporate any combination of text, graphics, audio and video content, software programs, and other data. Web pages may also contain hypertext links to other web pages. Each ... downloaded web page may then be viewed by the user using the browser.";

it would have been obvious to one of ordinary skill at the time of the invention, that the postage vending systems of either Brookner et al ('790) or Shah et al ('738) or Kara ('739) or Gravell et al ('303) or Lee et al ('960) or Brasington et al ('406) or Sansone ('781) or Whitehouse ('945) or Heiden et al ('645) or Shah et al ('893) or Beckstrom et al ('374) or Bator et al ('544) would use a communications protocol, language and control protocol that is suitable for the communications link being used, that is if the link is the internet, then either XML or HTML or SGML would be used.

10.1.3 In regard to claims 10, 11, 23 & 24, it is noted that none of Brookner et al ('790) or Shah et al ('738) or Kara ('739) or Gravell et al ('303) or Lee et al ('960) or Brasington et al ('406) or Sansone ('781) or Whitehouse ('945) or Heiden et al ('645) or Shah et al ('893) or Beckstrom et al ('374) or Bator et al ('544) disclose what is displayed while the indicia is being printed, however, since none of Brookner et al ('790) or Shah et al ('738) or Kara ('739) or Gravell et al ('303) or Lee et al ('960) or Brasington et al ('406) or Sansone ('781) or Whitehouse ('945) or Heiden et al ('645) or Shah et al ('893) or Beckstrom et al ('374) or Bator et al ('544) disclose that the display is blanked or cleared, it would have been obvious to one of ordinary skill at the time of the invention, that the postage vending systems of either Brookner et al ('790) or Shah et al ('738) or Kara ('739) or Gravell et al ('303) or Lee et al ('960) or Brasington et al ('406) or Sansone ('781) or Whitehouse ('945) or Heiden et al ('645) or Shah et al ('893) or Beckstrom et al ('374) or Bator et al ('544), could be modified to display any suitable information on the display while the indicia is being printed.

11. The examiner has cited prior art of interest, for example:

A) Abumehdi (5,508,933) which discloses the process following by accounting units in postage metering systems.

B) Bransten which discloses dispensing postage over the internet.

C) Carroll et al (6,470,327) which discloses a web based postage dispensing system.

12. The examiner has considered the prior art cited in the parent and the IDSs filed 09 July 2001; 16 October 2002; 15 April 2003 and 05 April 2004.

13. The shorten statutory period of response is set to expire 3 (three) months from the mailing date of this Office action.


14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Cosimano whose telephone number is (703) 305-9783. The examiner can normally be reached Monday through Thursday from 7:30am to 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss, can be reached on (703)-308-2702. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

14.1 The fax phone number for UNOFFICIAL/DRAFT FAXES is (703) 746-7240.

14.2 The fax phone number for OFFICIAL FAXES is (703) 872-9306.

14.3 The fax phone number for AFTER FINAL FAXES is (703) 872-9306.

07/21/04


Edward R. Cosimano
Primary Examiner A.U. 3629